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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 KEITH CHARLES KNAPP, as Trustee  
12 of the California Home Loans Profit  
13 Sharing Plan; TRUST FOR THE  
14 CALIFORNIA HOME LOANS  
15 PROFIT SHARING PLAN, as a  
16 fiduciary of the California Home Loans  
17 Profit Sharing Plan,

18 Plaintiffs,

19 v.

20 NOREEN CARDINALE, an individual,

21 Defendant.

**Case No. C-12-05076 RMW**

**ORDER RELATING CASES**

**[Re Docket No. 10, 11]**

22 Plaintiff Keith Charles Knapp filed an administrative motion to relate this case with  
23 *Cardinale v. Miller, et al.*, Case No. C-12-05078 JSW, which was recently removed from state  
24 court. The parties stipulated to relating the cases on the condition that the cases be assigned to  
25 Judge White, who is currently assigned to *Miller*. Under the Local Rules, however, related cases  
26 are assigned to the Judge hearing the lower numbered case. L.R. 3-11(f). Therefore, the  
27 stipulation is invalid and thus the court will consider the motion to relate on its merits.  
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1 Under Local Rule 3-12, cases are related when the "actions concern substantially the same  
2 parties, property, transaction or event" and there would likely be "an unduly burdensome  
3 duplication of labor and expense or conflicting results if the cases are conducted before different  
4 Judges." L.R. 3-12(a). Here, both cases involve the same employee benefit plan and arise from  
5 the same happenings or events, and involve related questions of law and overlapping parties.

6 Therefore, the court orders that the cases be related and pursuant to the Local Rules that  
7 the Clerk reassign *Cardinale v. Miller, et al.*, Case No. C-12-05078 JSW, to this court.

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9 IT IS SO ORDERED.

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11 Dated: November 29, 2012

  
Ronald M. Whyte  
United States District Court Judge